

Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

phone 206-343-8800/1-800-552-3565

fax 206-343-7522 www.pscleanair.org



Written Warning

No. 2-007465

Case No.

Registration No.

Violation Date: Time:

11339

July 30th '04 and August 13th '04

Certified Mail No.:

Name

Responsible Person, Title

Ash Grove Cement Co.

Gerald Brown

Location of Violation (Address)

City

Zip

County

3801 E. Marginal Way So.

Seattle, WA

98134

King

Mailing Address

City, State

Zip

Phone

As Above

Seattle, WA.

98124

(206) 694-6221

Other (Order of Approval, Regulations, WAC, etc.):

☒ Air Operating Permit No. 11339 issued 5/15/2004 Part V.N. Standard Terms and Conditions Performance Testing. Ash Grove shall provide the Clean Air Agency at least 60 days prior notice of any Neshaps (40 CFR Part 63) performance test.

☒ 40 CFR 63.1349(c)(3)(i): Provide 60 days written notice to the Agency prior to making an operational change that may affect compliance with the applicable dioxin/furan standard.

Facts Alleged to Constitute a Violation

Causing or allowing the failure to provide 60 days prior notice before conducting the dioxin/furan compliance performance test on October 13th and October 14th 2004 on the main stack at Ash Grove Cement Co. Ash Grove Cement Co. submitted a source test plan to the Agency that was received by this Agency on September 23, 2004. The 60 day notification and source test plan should have been received by the Agency on or before August 13th, 2004.

Causing or allowing the introduction of a new raw feed into the kiln on September 30th, 2004 without providing the Agency a 60 day written notice prior to making the operational change. The notification for the operational change was due to the Agency on July 30th 2004. The Agency did not receive the notification until September 23, 2004.

Corrective Action Order

If you do not take the corrective action described below to comply with the regulations of the Puget Sound Clean Air Agency, the Agency may issue a Notice of Violation that may result in a civil penalty.

☒ Within 10 days of your receipt of this notice, submit a written corrective action response describing the actions Ash Grove will take to achieve compliance with the terms and conditions of the Air Operating Permit issued 5/15/2004.

Issued by:

Elizabeth Gilpin, Inspector, 206-689-4026
Fred Austin, Engineer, 206-689-4055

Date/Time:

7001 2510 0000 2003 2573
12-22-04

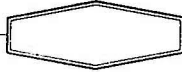
Received by

signature

print name

Signing this document is not an admission of guilt

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

January 4, 2005

Ms. Elizabeth Gilpin
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, WA. 98101-2038

Re: Written Warning 2-007465

Dear Ms. Gilpin:

The Notification of performance testing of the kiln stack to demonstrate compliance with the dioxin furan standard under 40 CFR 63.1349(e)(1) (67 FR 16619) was not provided to PSCAA within the 60 days of testing as required.

This was due to an administrative oversight and future notifications of performance testing will be submitted as required by condition II.V.N of the permit.

Please call me if I can be of further assistance.

Sincerely yours,

Gerald J. Brown
Manager, Safety and Environment

cc: CP

AGCS2M003739



Working Together For Clean Air

January 26, 2005

www.pscleanair.org

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

110 Union Street

Suite 500

Seattle, WA 98101-2038

R 11339

Gerry Brown
Ash Grove Cement Co.
3801 E. Marginal Way S.
Seattle, Washington 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Dear Mr. Brown:

Disposition of Written Warning No. 2-007465

BOARD OF DIRECTORS

CHAIR

TACOMA

Bill Evans, Deputy Mayor

Based on the information provided in your corrective action letter dated January 4, 2005, this Agency considers the above-referenced matter closed and will take no further enforcement action in this case.

KING COUNTY

Ron Sims, Executive

If you have any questions concerning this matter, please contact me at 689-4026.

SEATTLE

Gregory J. Nickels, Mayor

KITSAP COUNTY

Jan Angel, Commissioner

BREMERTON

Cary Bozeman, Mayor

PIERCE COUNTY

John Ladenburg, Executive

EMG:VJD

SNOHOMISH COUNTY

Jeff Sax, Councilman

EVERETT

Ray Stephanson, Mayor

MEMBER AT LARGE

Janet Chalupnik

Sincerely,

Elizabeth M. Gilpin
Inspector II



Puget Sound Clean Air Agency

110 Union Street, Suite 500
Seattle, WA 98101-2038
phone 206-343-8800/1-800-552-3565
fax 206-343-7522 www.pscleanair.org

Written Warning

No. 2-007469

Case No.

Registration No. 11339

Violation Date: 12/16/04, 12/25, 12/26, 12/27 and
1/16/05-1/18/05 Time:

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown EH&S Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of Air Operating Permit No. 11339 issued on 5/15/2004 Section II.C.11 Ash Grove Cement Co shall file with the Agency monthly WAC 173-434 monitoring reports within 15 days of the end of each calendar month.

Violation of Air Operating Permit No. 11339 issued on 5/15/2004 Section EU 1.38 Visible emissions from the kiln as measured by a transmissometer shall not exceed an average of 10% opacity for more than 6 minutes in any 60 minute period while combusting solid waste. Section II.C.11 monthly reports for solid waste incinerator facilities. Monthly reports shall include the date, time, and magnitude of any periods during which the opacity standard was exceeded and the corrective action taken

Violation Description

The Agency received the Ash Grove December 2004 monthly solid waste incinerator on January 18th, 2005. The report was three days late.

Ash Grove reported a total of 15 emission violations of the 10% 6 min standard in the December 2004 incinerator report. However, the incident on 12/16 makes the total at least 16. Additionally, Ash Grove failed to report the date, time, and magnitude as well as the corrective action taken regarding the 12/16 opacity event.

Ash Grove reported the opacity excursions as follows:

Date	Time	Opacity	Date	Time	Opacity	Date	Time	Opacity
12/16	not given	18.5%						
			12/26/04	1:36	10.3	12/27/04	20:12	12.4
12/25	15:06	11.1	12/26/04	1:39	13.7	12/27/04	20:15	11.3
12/25	15:09	12.3	12/26/04	1:42	12.3			
12/25	15:12	12.2	12/26/04	1:35	10.1			
12/25	15:15	11.5	12/26/04	3:12	10.6			
12/25	15:18	11.2						
12/25	15:21	10.5						
12/25	15:24	10.3						
12/25	16:15	11.0						

Corrective Action Order

If you do not take the corrective action described below to comply with the regulations of the Puget Sound Clean Air Agency, the Agency may issue a Notice of Violation that may result in a civil penalty.

- ☒ Within 10 days of your receipt of this notice, submit a written corrective action report explaining how Ash Grove will achieve compliance with the reporting requirements in the AOP.

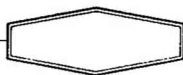
Issued by:

Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

1.26.05

ASH GROVE CEMENT COMPANY



January 28, 2005

"WESTERN REGION"

Ms. Elizabeth Gilpin
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, WA. 98101-2038

Re: Written Warning 2-007469

Dear Ms. Gilpin:

Written Warning 2-007469 alleges two violations of permit No 11339 occurred in December 2004.

1. The Agency received the December 2004 incinerator report on January 18, 2005 stating this is a violation of Section II.C.11. The permit requires the report to be filed within 15 days of the end of each calendar month. Ash Grove does not agree that this is a violation of this section as the report was mailed on January 14, 2005. There is nothing that requires the report to be received by the Agency within 15 days of the end of each calendar month. Ash Grove requests Agency clarification.
2. The Agency noted that in addition to the opacity exceedances reported in the December 2004 Incinerator Report, Ash Grove violated Section E.U. 1.38 by failing to report the date, time, and magnitude of an opacity excursion as measured by a transmissometer on December 16, 2005. The report format like the one filed on January 14, 2004 shows the daily maximum opacity recorded without respect to the operation of the tire system. As such, the 18.5 % daily maximum six-minute average opacity reading reported on 12/16 would imply that it occurred while the tire system was in operation. This reading, however, occurred at 02:42 hrs. during the kiln preheat phase of startup when the tire system was not in operation. The date and time of startup and operation of the tire system follows:

15-Dec	11:24	Preheat (Natural Gas)
16-Dec	05:03	Feed started to kiln (Start-up begins)
	06:43-15:43	Tire system on
	15:44-16:25	Tire system off
	16:26 - 19:16	Tire system on
	19:17 - 19:26	Tire system off
	19:27 - 23:59	Tire system on

During preheat, the tire derived fuel system is not in operation and no solid waste is being used for fuel. Since permit Section EU 1.38 applies only when combusting solid waste, no violation occurred. The data acquisition program will be corrected to report the daily maximum opacity during operation of the TDF system. The maximum opacity recorded on 12/26 during the combustion of solid waste is 2.8%. An amended report is attached.

Please call me if I can be of further assistance.

Sincerely yours,

Gerald J. Brown
Manager, Safety and Environment

cc: CP

AGCS2M003742

PUGET SOUND CLEAN AIR AGENCY
110 UNION STREET, SUITE 500, SEATTLE, WA 98101
Attn: Permit Certification

REPORT for SOLID WASTE INCINERATOR FACILITIES

For the Month of: **December 2004** Amended

Name:	<u>Ash Grove Cement Co.</u>		
Address:	<u>3801 E Marginal Way S</u>	City: Seattle, WA 98134	
Contact:	<u>Gerald J. Brown</u>	Telephone: (206) 623-5596	

During the operation of the TDF system:

Parameter		Make & Model		Permitted Limit		No. of Exceedences		Maximum Avg daily	
Opacity		General Monitoring		5% @ 6 min/hr.		0		N/A	
		L.S. Dynatron 1100M		10% @ 6 min/hr.		15		4.7	
	Maximum Daily %		Maximum Daily %		Maximum Daily %		Maximum Daily %		Maximum Daily %
1	2.5	8	4.2	15	0.0	22	3.9	29	4.5
2	4.4	9	3.4	16	2.6	23	0.0	30	2.9
3	3.9	10	3.8	17	2.5	24	6.5	31	1.9
4	3.7	11	5.5	18	2.7	25	12.3		
5	3.6	12	4.2	19	3.2	26	13.7		
6	3.3	13	2.7	20	3.4	27	12.4		
7	2.7	14	3.2	21	3.3	28	3.5		
Parameter		Make & Model		Permitted Limit		No. of Exceedences		Maximum Avg daily	
SO2		HB RADAS II		180 ppmc @ 1 hr		0		47.3	
				200 ppmc @ 1 hr		0			
	Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm
1	13.4	8	81.7	15	0.0	22	3.0	29	2.3
2	86.5	9	85.9	16	14.8	23	0.0	30	52.2
3	88.3	10	91.4	17	2.7	24	31.6	31	0.2
4	19.4	11	101.3	18	2.8	25	57.0		
5	29.8	12	82.4	19	75.5	26	4.4		
6	93.8	13	58.1	20	90.3	27	45.2		
7	90.6	14	41.2	21	93.2	28	28.0		
Parameter		Make & Model		Permitted Limit		No. of Exceedences		Maximum Avg daily	
CO		Beckman Ind. 880		1045 ppmc @ 8 hrs		0		750.3	
				538 lb @ 8 hrs		0			
	Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm		Maximum Daily ppm
1	1,039.7	8	787.9	15	0.0	22	811.9	29	658.1
2	1,032.3	9	846.0	16	802.2	23	0.0	30	767.1
3	980.7	10	836.7	17	735.1	24	294.7	31	740.9
4	957.0	11	762.1	18	768.2	25	873.7		
5	979.8	12	506.9	19	678.1	26	696.2		
6	996.1	13	959.9	20	892.1	27	846.0		
7	729.3	14	715.3	21	813.1	28	751.3		

Daily Amount TDF in Tons									
1	45.9	8	48.0	15	0.0	22	30.1	29	43.7
2	46.4	9	41.6	16	33.6	23	0.0	30	33.8
3	25.1	10	40.4	17	38.8	24	3.4	31	31.7
4	38.8	11	21.5	18	40.0	25	33.8		
5	41.1	12	3.2	19	35.7	26	29.6		
6	46.8	13	35.2	20	43.4	27	32.0		
7	44.4	14	13.6	21	22.6	28	43.0		

* Date, time and magnitude of period(s) during which Ash Grove exceeded SO₂ limits during solid waste incineration operations: None

* Date, time and magnitude of period(s) during which Ash Grove exceeded opacity limits of 5% or more than 6 consecutive minutes in any sixty minute period: None

* Date, time and magnitude of period(s) during which Ash Grove failed to take reasonable precautions to prevent fugitive emissions from solid waste handling operations: None

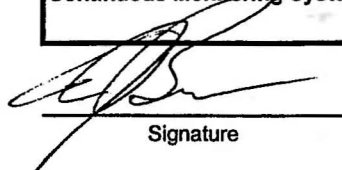
* Date, time and magnitude of periods where combustion air failed to meet required residence time: None

* Date, time and magnitude of periods where pressurized air was not controlled or monitored: None

* Date and duration of periods during which kiln continuous monitoring systems for opacity, combustion zone temperature, baghouse temperature, air flow, sulfur dioxide, oxygen and carbon monoxide did not meet the applicable data recovery requirements of Section II.B: None

Date, time and magnitude of periods during which the kiln COM measured exceedances

Opacity	Date	Time	Magnitude	Corrective action		
5% @ 6 min/hr	12/25	15:06	11.1	The operator initiated an investigation to find the cause of the opacity. The investigation found that compartment #3 of the main baghouse was the source. The compartment was isolated and maintenance notified. Maintenance found a hole had formed in the compartment floor. The defect was repaired and the compartment activated placed on line.		
		15:09	12.3			
		15:12	12.2			
		15:15	11.5			
		15:18	11.2			
		15:21	10.5			
		15:24	10.3			
	12/26	16:15	11			
		01:36	10.3			
		01:39	13.7			
		01:42	12.5			
	12/27	01:45	10.1			
		03:12	10.6			
		20:12	12.4			
		20:15	11.3			
SO2						
180 ppmc @ 1 hr						
200 ppmc @ 1 hr						
Fugitive Emissions from solid waste handling operations						
Pressurized air control and monitoring						
Continuous Monitoring Systems						


Signature

Manager, Safety and Environmental

1/28/2005

Date



Working Together For Clean Air

March 8, 2005

www.pscleanair.org

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

110 Union Street

Suite 500

Seattle, WA 98101-2038

R 11339

Gerry Brown
Ash Grove Cement Co.
3801 E. Marginal Way S.
Seattle, Washington 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Dear Mr. Brown:

Disposition of Written Warning No. 2-007469

BOARD OF DIRECTORS

CHAIR

TACOMA

Bill Evans, Deputy Mayor

Based on the information provided in your corrective action letter dated January 28, 2005, this Agency considers the above-referenced matter closed and will take no further enforcement action in this case.

KING COUNTY

Ron Sims, Executive

If you have any questions concerning this matter, please contact me at 689-4026.

SEATTLE

Gregory J. Nickels, Mayor

KITSAP COUNTY

Jan Angel, Commissioner

BREMERTON

Cary Bozeman, Mayor

PIERCE COUNTY

John Ladenburg, Executive

EMG:VJD

SNOHOMISH COUNTY

Jeff Sax, Councilman

EVERETT

Ray Stephanson, Mayor

MEMBER AT LARGE

Janet Chalupnik

Sincerely,

Elizabeth M. Gilpin
Inspector II



Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

phone 206-343-8800/1-800-552-3565

fax 206-343-7522 www.pscleanair.org

General Notice of Violation

No. 3-001259

Case No.

Registration No. 11339

Violation Date: 08/04/04 as reported in 12/04 monthly deviation report Time: 2:50 AM-5:52 AM

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown EH & S Manager	
Location of Violation (Address) 3801 E. Marginal Way So	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of Air Operating Permit No. 11339 issued on May 15, 2004

- ☒ Failure to comply with Section I.B.I.EU 1.28 three hour rolling average main baghouse inlet temperature established during dioxin/furan source test.

Facts Alleged to Constitute a Violation

In the December 2004 monthly deviation report submitted to this Agency on 1/31/05, Ash Grove reported the failure to comply with the main baghouse inlet temperature limit on August 4, 2004 from 2:50 AM until 5:52 AM.

Corrective Action Order *You must take the corrective action described below*


- ☒ Within 10 days of the date you receive this Notice of Violation, submit a written report describing the action you have taken to correct this violation and achieve compliance with your Air Operating Permit.

7001 2510 0000 2003 2672

Issued by:


Elizabeth Gilpin, Inspector, 669-4026

Date/Time:

 2.25.05

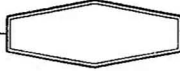
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signature

print name

Signing this document is not an admission of guilt

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

March 1, 2005

Ms. Elizabeth Gilpin
Puget Sound Clean Air Agency
110 Union Street, Suite 500
Seattle, WA. 98101-2038

Re: Notice of Violation No. 3-001259

Dear Ms. Gilpin:

NOV No. 3-001259 requires a written response describing the corrective action taken to achieve compliance.

Between 2:50 am and 5:53 am on August 4, 2004, the temperature of the gas inlet to the kiln/raw mill baghouse exceeded the 334-degree - 3 hour rolling average raw mill 'on' temperature limit. During this period, the maximum temperature recorded was 354 °F. The elevated temperature occurred during a period that required silo space management as raw feed inventory was near capacity levels. To manage available storage space, the Raw Mill production rate is typically cut back to match the kiln feed rate. This continues until the mill is shutdown for scheduled maintenance and the inventory levels drop. It is believed that this cut back lead to the temporary elevation in temperature.

To preventative a reoccurrence, the temperature average reported on the Operator's Baghouse screen and alarms are in the process of being made more evident to permit closer monitoring.

Please let me know if you have any further question.

Yours truly,

Gerald J. Brown
Manager Safety and Environment

Copy: Craig Puljan

AGCS2M003747



Working Together For Clean Air

March 31, 2005

www.pscleanair.org

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

110 Union Street

Suite 500

Seattle, WA 98101-2038

R 11339

Gerry Brown
Ash Grove Cement Co.
3801 E. Marginal Way S.
Seattle, Washington 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Dear Mr. Brown:

Disposition of Notice of Violation No. 3-001259

BOARD OF DIRECTORS

CHAIR

TACOMA

Bill Evans, Deputy Mayor

Based on the information provided in your corrective action letter dated March 1, 2005, this Agency considers the above-referenced matter closed and will take no further enforcement action in this case.

KING COUNTY

Ron Sims, Executive

If you have any questions concerning this matter, please contact me at 689-4026.

SEATTLE

Gregory J. Nickels, Mayor

Sincerely,

KITSAP COUNTY

Jan Angel, Commissioner

BREMERTON

Cary Bozeman, Mayor

PIERCE COUNTY

John Ladenburg, Executive

Elizabeth M. Gilpin
Inspector II

EMG:VJD

SNOHOMISH COUNTY

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Janet Chalupnik



Puget Sound Clean Air Agency

110 Union Street, Suite 500
Seattle, WA 98101-2038
phone 206-343-8800/1-800-552-3565
fax 206-343-7522 www.pscleanair.org

Written Warning

No. 2-007130

Case No. Registration No. **11339** Violation Date: 12/25/04, 12/26/04 Time:

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown, EH&S Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of AOP No. 11339 issued on 5/15/2004 Part I.B.1.EU 1.3 Ash Grove shall not cause or allow the emission of any air contaminant (as determined by the COMs) from the kiln stack that averages greater than 5% opacity for one hour.

Violation Description

Causing or allowing the emissions of opacity from the main stack in excess of the standard as follows:

<u>Date</u>	<u>Maximum Value</u>	<u>Duration</u>
12/25	9.8%	5 hours
12/26	8.4%	4 hours

Corrective Action Order


If you do not take the corrective action described below to comply with the regulations of the Puget Sound Clean Air Agency, the Agency may issue a Notice of Violation that may result in a civil penalty.

☒ No further response required. This case is closed per Agency Civil Penalty Policy of January 2002.

Issued by:


Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

7001 2510 0000 2003 2672
2.25.05


Received by

signature

print name

Signing this document is not an admission of guilt



Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

phone 206-343-8800/1-800-552-3565

fax 206-343-7522 www.pscleanair.org

Written Warning

No. 2-007131

Case No.

Registration No. 11339

Violation Date: 1/31/05 Neshap Subpart LLL
Summary Report

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown, Plant Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of Air Operating No. 11339 issued 5/15/04 Part I.B.I. EU 1.28 three hour average main baghouse inlet temperature not to exceed the limits established during the dioxin/furan source test.

Violation Description

Ash Grove reported a total of 17.0 hours during the six month period 7/01/04-12/31/04 during which time the company exceeded the three hour average main baghouse inlet temperature limits.

Corrective Action Order


If you do not take the corrective action described below to comply with the regulations of the Puget Sound Clean Air Agency, the Agency may issue a Notice of Violation that may result in a civil penalty.

- ☒ Within 10 days of your receipt of this notice, submit a written corrective report describing how Ash Grove will maintain compliance with the terms and conditions of the Air Operating Permit.

Issued by:


Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

3.3.05


Received by

signature

print name

Signing this document is not an admission of guilt

TO: JERRY BROWN

3. Section 63.1344 is amended by revising paragraph (a)(3) to read as follows:

§ 63.1344 Operating limits for kilns and in-line kiln/raw mills.

(a) * * *

(3) If the in-line kiln/raw mill is equipped with an alkali bypass, the applicable temperature limit for the alkali bypass specified in paragraph (b) of this section and established during the performance test, with or without the raw mill operating, is not exceeded.

4. Section 63.1349 is amended by adding new paragraph (e)(3) to read as follows:

§ 63.1349 Performance testing requirements.

(e) * * *

(3) In preparation for and while conducting a performance test required in paragraph (a)(1) of this section, a source may operate under the planned operational change conditions for a period not to exceed 360 hours, provided that the conditions in paragraphs (e)(3)(i) through (iv) of this section are met. The source shall submit temperature and other monitoring data that are recorded during the protest operations.

(i) The source must provide the Administrator written notice at least 60 days prior to undertaking an operational change that may adversely affect compliance with an applicable standard under this subpart, or as soon as practicable where 60 days advance notice is not feasible. Notice provided under this paragraph shall include a description of the planned change, the emissions standards that may be affected by the change, and a schedule for completion of the performance test required under paragraph (e)(1) of this section, including when the planned operational change period would begin.

(ii) The performance test results must be documented in a test report according to paragraph (a) of this section.

(iii) A test plan must be made available to the Administrator prior to testing, if requested.

(iv) The performance test must be conducted, and it must be completed within 360 hours after the planned operational change period begins.

5. Section 63.1350 is amended by:

a. Adding paragraphs (a)(4)(v) through (vii);

b. Revising paragraph (c)(2)(i);

c. Revising paragraph (d)(2)(i); and

d. Revising paragraph (e) introductory text.

The revisions and additions read as follows:

§ 63.1350 Monitoring requirements.

(a) * * *

(4) * * *

(v) The requirement to conduct Method 22 visible emissions monitoring under this paragraph shall not apply to any totally enclosed conveying system transfer point, regardless of the location of the transfer point. "Totally enclosed conveying system transfer point" shall mean a conveying system transfer point that is enclosed on all sides, top, and bottom. The enclosures for these transfer points shall be operated and maintained as total enclosures on a continuing basis in accordance with the facility operations and maintenance plan.

(vi) If any partially enclosed or unenclosed conveying system transfer point is located in a building, the owner or operator of the portland cement plant shall have the option to conduct a Method 22 visible emissions monitoring test according to the requirements of paragraphs (a)(4)(i) through (iv) of this section for each such conveying system transfer point located within the building, or for the building itself, according to paragraph (a)(4)(vii) of this section.

(vii) If visible emissions from a building are monitored, the requirements of paragraphs (a)(4)(i) through (iv) of this section apply to the monitoring of the building, and you must also test visible emissions from each side, roof and vent of the building for at least 1 minute. The test must be conducted under normal operating conditions.

(c) * * *

(2) * * *

(i) Perform daily visual opacity observations of each stack in accordance with the procedures of Method 9 of appendix A to part 60 of this chapter. The Method 9 test shall be conducted while the affected source is operating at the representative performance conditions. The duration of the Method 9 test shall be at least 30 minutes each day.

(d) * * *

(2) * * *

(i) Perform daily visual opacity observations of each stack in accordance with the procedures of Method 9 of appendix A to part 60 of this chapter. The Method 9 test shall be conducted while the affected source is operating at

the representative performance conditions. The duration of the Method 9 test shall be at least 30 minutes each day.

(e) The owner or operator of a raw mill or finish mill shall monitor opacity by conducting daily visual emissions observations of the mill sweep and air separator PMCD of these affected sources in accordance with the procedures of Method 22 of appendix A to part 60 of this chapter. The Method 22 test shall be conducted while the affected source is operating at the representative performance conditions. The duration of the Method 22 test shall be 6 minutes. If visible emissions are observed during any Method 22 visible emissions test, the owner or operator must:

[FR Doc. 02-30844 Filed 12-5-02; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2002-0237; FRL-7274-5]

Cyromazine; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a tolerance for residues of cyromazine in or on bean, dry at 3.0 parts per million (ppm). The Interregional Research Project Number 4 (IR-4), requested this tolerance under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) of 1996.

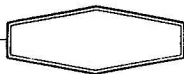
DATES: This regulation is effective December 6, 2002. Objections and requests for hearings, identified by docket ID number OPP-2002-0237, must be received on or before February 4, 2003.

ADDRESSES: Written objections and hearing requests may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit VI. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Sidney Jackson, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001; telephone number: (703) 305-7610; e-mail address: jackson.sidney@epa.gov or epa.gov.

SUPPLEMENTARY INFORMATION:

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

March 11, 2005

Ms. Elizabeth Gilpin
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, WA. 98101-2038

Re: Written Warning 2-007131

Dear Ms. Gilpin:

This letter is written in response to Written Warning 2-007131. In the semi-annual PC MACT report dated January 27, 2005, Ash Grove reported 9.1, 5.8, and 3.0 hours of parameter exceedence associated with the kiln, raw mill (known causes) and 3.0 hours raw mill hours (unknown cause) respectively. The first two instances totaling 14.9 hours (9.1 + 5.8) were a result of a planned operational change in which Ash Grove demonstrated compliance with the PC dioxin and furan standard in stack tests performed on October 14, 2004. In an undated letter sent in early August (copy attached), Ash Grove informed the department of the planned operational change and that we would be operating outside of the currently established temperature limits during the performance test.

40 CFR 63.1349 (e)(1) states *"The source must provide the Administrator written notice at least 60 days prior to undertaking an operational change that may adversely affect compliance with an applicable emission standard under this subpart, or as soon as practicable where 60 days advance notice is not feasible. Notice provided under this paragraph shall include a description of the planned change, the emissions standards that may be affected by the change, and a schedule for completion of the performance test required under paragraph (e)1) of this section including when the planned operational change would begin."*

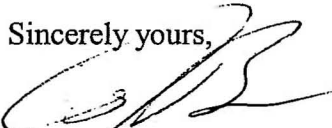
Because the regulation allow for a 360 hour operational period to shake down the system and conduct performance testing, we believe that this is not an exceedence and is not a reportable deviation. Ash Grove considered the August letter as adequate notification of the testing. However, we summarized theses instances on the required PC MACT semi-annual report submitted in January 2005 as required. These hours should not be consideration violations as 40 CFR section 63.1349 permits planned operation changes to occur provided specified conditions are met.

AGCS2M003752

The other instance in which the PC MACT temperature was exceeded for a three hour period between 2:50 am and 5:53 am on August 4, 2004 was attributed to process and inventory control conditions that caused the operator to reduce the raw mill production rate to match that of the kiln to reduce the inventory of raw kiln feed storage that was near capacity. During this period, the mill temperature rose as kiln feed was reduced. As a result, we experienced a three hour period in which the temperature exceeded the established value. To prevent such a recurrence, the operator's screen has been modified to include not only the three-hour rolling average temperature but also the temperature limit and an audible alarm. As we conducted our monthly deviation report summary, we failed to notice this instance in which the temperature was exceeded. We have since modified our reasonable inquiry procedure to perform an electronic check of temperature exceedences each month.

Please call me if I can be of further assistance.

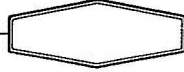
Sincerely yours,

A handwritten signature in black ink, appearing to read 'G. Brown', written over the printed name.

Gerald J. Brown
Manager, Safety and Environment

cc: CP

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

Mr. Fred Austin
Puget Sound Clean Air Agency
110 Union Street, Suite 500
Seattle, WA. 98101-2038

**RE: Ash Grove Cement Company, Seattle, Washington
Notification of Performance Testing**

Dear Mr. Austin:

Please consider this notification of additional performance testing to be performed on the main kiln stack during the week of October 3, 2004. Previous notification was provided to you on September 13, 2004 for particulate matter testing of the Coal Mill baghouses. We would also like to provide notice of a planned operational change under 40 CFR 63.1349(e)(3) (67 FR 72585) and subsequent performance testing to re-establish our baghouse inlet temperature for compliance with the dioxin/furan standard under PC MACT.

The planned operational change will involve the use of a different iron and silica source from what we are currently using. Ash Grove has reviewed the characteristics of the new iron and silica sources and has not been able to clearly demonstrate that this new raw material would not adversely affect compliance with an applicable dioxin/furan standard. Therefore, performance testing of the kiln stack will be done to demonstrate compliance with the dioxin furan standard as required by 40 CFR 63.1349(e)(1) (67 FR 16619). We understand we have a period of 360 hours to utilize the alternate material and complete the performance testing at which time we will cease use of the alternate materials until results have been received and are determined to be satisfactory. At this time, Ash Grove would then be authorized to use the new iron and silica source and operate within temperatures established during the performance test.

Ash Grove anticipates introducing this new raw material to the raw mill system during the week of September 27th to allow sufficient time for the material to reach equilibrium within the raw mill and kiln system. After performing the dioxin/furan performance test, Ash Grove will then deplete any remaining supply of material after conclusion of the stack test and before 360 hours of elapsed kiln operation time since the new iron and silica sources were first introduced.

AGCS2M003754

During the performance test period, Ash Grove will be re-establishing the inlet temperature to the baghouse; consequently, the facility may be operating outside of the currently established limits during periods associated with the performance test.

I have attached a test plan for your review, which is virtually identical to the one submitted on September 17, 2002. Should you require additional information, please contact me at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald Brown", written over a horizontal line.

Gerald Brown
Manager Safety and Environmental
Ash Grove Cement

enclosure



Working Together For Clean Air

March 31, 2005

www.pscleanair.org

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

110 Union Street

Suite 500

Seattle, WA 98101-2038

R 11339

Gerry Brown
Ash Grove Cement Co.
3801 E. Marginal Way S.
Seattle, Washington 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Dear Mr. Brown:

Disposition of Written Warning No. 2-007131

BOARD OF DIRECTORS

CHAIR

TACOMA

Bill Evans, Deputy Mayor

Based on the information provided in your corrective action letter dated March 11, 2005, this Agency considers the above-referenced matter closed and will take no further enforcement action in this case.

KING COUNTY

Ron Sims, Executive

If you have any questions concerning this matter, please contact me at 689-4026.

SEATTLE

Gregory J. Nickels, Mayor

Sincerely,

KITSAP COUNTY

Jan Angel, Commissioner

A handwritten signature in dark ink, appearing to read "Maria T. Pedraza". The signature is fluid and cursive.

BREMERTON

Cary Bozeman, Mayor

PIERCE COUNTY

John Ladenburg, Executive

A handwritten signature in dark ink, appearing to read "Elizabeth M. Gilpin". The signature is stylized and cursive.

Elizabeth M. Gilpin
Inspector II

EMG:VJD

SNOHOMISH COUNTY

Jeff Sax, Councilman

EVERETT

Ray Stephanson, Mayor

MEMBER AT LARGE

Janet Chalupnik



Puget Sound Clean Air Agency

110 Union Street, Suite 500
Seattle, WA 98101-2038
phone 206-343-8800/1-800-552-3565
fax 206-343-7522 www.pscleanair.org

Written Warning

No. 2-007176

Case No. Registration No. 11339 Violation Date: 2/09/05, 2/10/05, 2/11/05 Time:

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown EH&S Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of Air Operating Permit No. 11339 issued on 5/15/2004 Section EU 1.38 Visible emissions from the kiln as measured by a transmissometer shall not exceed an average of 10% opacity for more than 6 minutes in any 60 minute period while combusting solid waste.

Violation Description

Ash Grove reported a total of 8 emission violations of the 10% 6 min standard in the February 2005 incinerator report. Ash Grove reported the opacity excursions as follows:


Date	Time	Duration	Opacity
2/9	5:00 PM	1 hour	11.7%
2/9	10:00 PM	1 hour	12.2%
2/10	4:00 PM	1 hour	12.7%
2/10	5:00 PM	1 hour	11.5%
2/10	9:00 PM	1 hour	20.9 %
2/10	10:00 PM	1 hour	30.0%
2/10	11:00 PM	1 hour	15.6%
2/11	12:00 AM	1 hour	11.2%

The events on 2/9 and 2/10 were the result of the main baghouse reverse air damper needing repair.

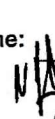
Corrective Action Order

- ☒ No Response required. Ash Grove reported the corrective action taken in the February incinerator report pursuant to Section II.C.11 monthly reports for solid waste incinerator facilities. This written warning is hereby closed.

Issued by:


Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

 4.12.05

Received by

signature

print name

Signing this document is not an admission of guilt



Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

phone 206-343-8800/1-800-552-3565

fax 206-343-7522 www.pscleanair.org

Written Warning

✓ No. 2-007023

Case No.

✓ Registration No. 11339

Violation Date: see below Time:

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown, EH&S Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of AOP No. 11339 issued on 5/15/2004 Part I.B.1.EU 1.4 Ash Grove shall not cause or allow the emission of any air contaminant (as determined by the COMs) from the kiln stack that averages greater than 5% opacity for one hour.

Violation of AOP No. 11339 issued on 5/15/2004 Part I.B.1.EU 1.2 Ash Grove shall not cause or allow the emission of any air contaminant (as determined by the COMs) from the kiln stack that averages greater than 20% opacity for 6 minutes in any one hour.

Violation of AOP No. 11339 issued on 5/15/2004 Part I.B.1.EU 1.10 NOX emissions shall not exceed 650 ppm at 10% O2 as a 24-hour rolling average as determined by the NOX CEMS.

Violation Description

Ash Grove reported the following violations in the February '05 CEM report

EU 1.4 Standard: 5% opacity 1 hr. average

<u>Date</u>	<u>Maximum Value</u>	<u>Duration</u>
2/10 at 5:00 PM	6.5%	1 hour
2/10 at 7:00 PM	6.2%	1 hour
2/10 at 8:00 PM	6.1%	1 hour
2/10 at 9:00 PM	9.2%	1 hour
2/10 at 10:00 PM	11.1%	1 hour
2/10 at 11:00 PM	7.8%	1 hour

EU 1.2 Standard: 20% opacity 6 minute in any one hour

<u>Date</u>	<u>Maximum Value</u>	<u>Duration</u>
2 events	no value date or duration reported	



Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

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fax 206-343-7522 www.pscleanair.org

EU 1.10 Standard: NOX 650 ppm 10% O₂, 24-hr rolling average

<u>Date</u>	<u>Maximum Value</u>	<u>Duration</u>
2/11 7:00 PM	663.7	24 hr average
2/11 8:00 PM	678.0	24-hr average
2/15 4:00 PM	658.2	24-hr average
2/15 5:00 PM	681.7	24-hr average
2/15 6:00 PM	696.1	24-hr average
2/15 7:00 PM	709.7	24-hr average
2/15 8:00 PM	718.8	24-hr average
2/15 9:00 PM	725.1	24-hr average
2/15 10:00 PM	734.1	24-hr average
2/15 11:00 PM	741.7	24-hr average
2/15 12:00 PM	749.3	24-hr average
2/16 1:00 AM	716.2	24-hr average
2/16 2:00 AM	688.7	24-hr average
2/16 3:00 AM	672.5	24-hr average
2/16 4:00 AM	664.4	24-hr average
2/16 5:00 AM	651.9	24-hr average

Corrective Action Order

If you do not take the corrective action described below to comply with the regulations of the Puget Sound Clean Air Agency, the Agency may issue a Notice of Violation that may result in a civil penalty.

☒ No further response required. This case is closed per Agency Civil Penalty Policy of January 2002.

Issued by:


Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

4.13.05

Received by

signature

print name

Signing this document is not an admission of guilt



Puget Sound Clean Air Agency

110 Union Street, Suite 500

Seattle, WA 98101-2038

phone 206-343-8800/1-800-552-3565

fax 206-343-7522 www.pscleanair.org

Written Warning

No. 2-007025

CC 4.15.05

Case No.

Registration No. 11339

Violation Date: 3/10/05 Time:

Certified Mail No.:	Name Ash Grove Cement Co.	Responsible Person, Title Gerald Brown EH&S Manager	
Location of Violation (Address) 3801 E. Marginal Way So.	City Seattle, WA	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA	Zip 98134	Phone (206) 623-5596

Violation of Air Operating Permit No. 11339 issued on 5/15/2004 Section EU 1.38 Visible emissions from the kiln as measured by a transmissometer shall not exceed an average of 10% opacity for more than 6 minutes in any 60 minute period while combusting solid waste.

Violation Description

Ash Grove reported a total of 1 emission violation of the 10% 6 min standard in the March 2005 incinerator report as follows:

Date	Time	Duration	Opacity
3/10/05	2:39 PM	1 hour	10.5%


Corrective Action Order

- ☒ No Response required. Ash Grove reported the corrective action taken in the March incinerator report pursuant to Section II.C.11 monthly reports for solid waste incinerator facilities. This written warning is hereby closed.

Issued by:


Elizabeth Gilpin, Inspector, 206-689-4026

Date/Time:

 4.15.05

Received by

signature

print name

✓
CF Signing this document is not an admission of guilt